

The Role of Maori women in Treaty Negotiations and Settlements

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This evening, I will address some of the key issues confronting Maori women in respect of Treaty settlements and offer some suggestions on why a repudiation of the existing arrangements between Maori and the Crown is essential.

Treaty settlements should be just that: settlements made within the framework of the Treaty. It would be a betrayal of honour by the Crown if it used any other framework. The Crown is impatient; it wants to permanently nullify the Treaty through the smokescreen of "settling claims in one foul swoop". But how can we finish business which we have not even begun since the ultimate debate on the Treaty, ie the issue of tino rangatiratanga-absolute sovereignty which is the real business of the Treaty, has not been addressed?

We have been told that the wellbeing of this nation depends on Maori not holding the country to ransom. Yet it is the Crown which is reluctant to resolve grievances. The Government has put a time limit of the year 2000 as if it is a major New Year's resolution. On the threshold into the new millennium, people intuitively examine their institutions; they want their houses in order before they cross that line.

That same sense of anxiety was expressed by the Government one hundred years ago when, to defeat Maori self determination, in the Maori Parliament, Te Kotahitanga, it set up a system of regional Maori councils under the 1900 Maori Councils Act. In readying itself for the 20th Century, the Government was not prepared to make constitutional changes consistent with the principles of rangatiratanga and Treaty partnership and it is clear now that this Government seeks to defeat Maori sovereignty.

Maori have rejected the fiscal envelope as a legitimate settlement model primarily because there is no recognition of our tino rangatiratanga.¹ The fiscal envelope is a red herring - the main issue for Maori is absolute sovereignty - the ability to manage our own affairs.

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1 The Fiscal Envelope was unanimously rejected by Maori individuals, tribes and organisations at the Hirangi Hui hosted by Sir Hepi Te Heuheu at Turangi on 30 January 1995. To date, Maori attendees at regional hui organised by Te Puni Kokiri on behalf of the government have opposed the Fiscal Envelope (Rotorua 15 February 1995, Opotiki, Tauranga 21 February 1995, Te Kuiti 25 February 1995); see The New Zealand Herald and The Evening Post, Monday 30 January 1995 and 31 January 1995.

This is not a rejection of other models of settlement. It is simply an insistence that the Treaty in its entirety form the backbone of any model and that the relationship between the Crown and Maori reflect the underlying Treaty principles.

In respect of Treaty negotiations, it is important to emphasise respect and fairness. The high handed attitude of the Government is an affront to Maoridom who have for so long exercised extreme patience and goodwill. The arrogant comments levelled at our rangatira and in particular the Paramount chief of Tuwharetoa, Sir Hepi Te Heuheu,² are a disgrace which fuel Maori pessimism about the claims resolution process. If they treat our chiefs like this, what hope is there that they will treat our women well? A disciplined focus on sovereignty is essential if we want to advance our cause.

I THE BROADER CONTEXT

In our negotiations, we cannot afford to become too introspective. The broader context within which our relationship with the Crown is developed requires careful analysis and planning for future Maori generations.

The 21st century is predicted to be one of interdependence which will herald the birth of a global society. Futurists and economists envision a seamless world where technology and market forces will determine the allocation of resources and the only role of governments is to increase international competitiveness by keeping wages low and encouraging foreign investment through minimising environmental, social and tax interventions. This restructuring is promoted by institutions such as the World Bank, International Monetary Funds and the General Agreement in Tarrifs and Trade in the name of the national economy, but it is the major transnational corporations which will benefit.

The prevailing wisdom is that economic growth is best promoted by privatizing public and community assets, deregulating markets, removing investment and trade barriers and privatizing knowledge through the protection of intellectual property rights. This Government has been on a steam roller campaign to create such an environment. The externalities of such an economic framework however are borne by the poor and in our case, Maori. Of course the devastatingly unequal impacts of the market system are overlooked by its advocates.

II SOCIO ECONOMIC STATUS OF WOMEN AND THEIR FAMILIES

If Treaty settlements are to be a means by which Maori can enjoy greater prosperity, then we must address the core socio-economic problems which Maori encounter.

Ours is a young population with nearly half under 20 years of age and by 2031 it will be still younger; short life expectancy reduces the availability of our kaumatua. If

2 Comments made on Morning Report, National Radio Programme, Monday 30 January 1995 by the Minister of Justice.

we examine the position of our families, at the last census approximately 40% were sole parented, 84% by Maori women the majority of whom have no school qualifications and are unemployed. Three quarters of these families have an income of less than \$15,000 and the majority live in rental accomodation. Maori women are becoming increasingly more responsible for the sole care of Maori children. Their socio-economic status will not improve.

These demographic features combined will set in train multi-generational patterns of disadvantage; the majority of our children who will be young adults at the turn of the century will have had no model of dual parenting with its expectation of dual incomes, they will have experienced the worst poverty and are likely to have limited opportunities for educational attainment.

A critical factor of our demographics will be the dependency ratio, that is, the number of dependants in the community (defined as people under 15 or over 65) to the number of working age (defined as the years in between). From year 2000 the dependency ratio is likely to increase because more New Zealanders will be getting older. We face a future in which fewer New Zealanders will work and more will depend on them. The dependency ratio is already disproportionately high for Maori in spite of our high fertility rates. It will worsen because factors such as intergenerational unemployment, under-achievement in education and a diminishing work ethic prevent our young from assuming care of the aged.

If the economy continues to deny Maori meaningful paid work, the future will be one of either higher taxes or reduced welfare. Maori already require huge State support to maintain our standard of living. Our social and economic structure will change whether that change is planned or not. Treaty settlements must target Maori women and their families. Half of our population are Maori women and girls and therefore we have a key role to play in ensuring that our future Maori population is able to meet the challenges of the new world order. Unless settlements are based on the individual as the unit of analysis for the distribution and application of settlement resources, then direct gains by Maori women and their families are likely to remain nil.³

III MAORI WOMEN IN DECISION-MAKING ROLES

How are we to take up this key role when Maori women's role in decision-making processes, particularly within Maori institutions such as trust boards, councils, commissions and iwi authorities, is negligible? We are reassured that this has nothing to do with sex discrimination; it is only that men display more suitable leadership qualities.

Describing the characteristics that men display as those required for leadership is a form of circular reasoning which keeps Maori women out of positions of influence. There are Maori women who would not wish to seek promotion and leadership

3 See Department of Statistics *National Summary 1991 Census of Population and Dwellings*.

experience, but much depends on their relative levels of confidence and self-esteem in a cultural system which routinely conveys the message that males and male experience are valued and that Maori women have done little which is worthy of inclusion in Maori decision-making.

Yet Maori women have maintained a vanguard position on Treaty issues and debates with the Crown.⁴ Even when we have elected to take a less visible role numerous examples can be cited. In good faith we supported Maori men's representation of us on the basis that they would bring about an equitable distribution of resources and that the application of that equity would realise universal prosperity amongst Maori. We kept our faith and maintained a supportive role.

Since 1985 Maoridom has embarked upon a major push for economic development. For example in 1985 the MANA Enterprise Scheme, a tribally delivered small business programme, was introduced. Twelve million of the total \$70 million was delivered to Maori women⁵ - an astounding example of how Maori women have been sold short by benefits process. As Ripeka Evans has said:⁶

The assets and interests currently held collectively by Maori organisations total in excess of \$1 billion. The power and decision making process of these organisations is in the hands of a small oligarchic menagerie of Maori men, businessmen, politicians, bureaucrats, lawyers or otherwise, known as the Boys Club.

Maori women are on the "outside looking in" and yet of all the trusts and incorporations currently under research, the majority of shareholders are Maori women.

There is no system to guarantee a place for Maori women within our own institutions or within the new organisations which have evolved to manage our assets. Any structural change sends the government and Maori men into a tail spin about "cultural correctness" and "making waves".⁷ But if men grab the benefits, they will not reach our children or benefit future generations.

The Sealords deal and the fiscal envelope debate have amplified the need for Maori women to reassert their role in Maori decision-making processes. We have learned that the forces of economic marginalisation are systemic and work to benefit the top 3% of our population; the claim that we can all share in the "prosperity" is a cruel myth. Maori women have become dependent on a dysfunctional, ad hoc patchwork of government delivery services which are underfunded and diminishing by the day.

4 Awatere, D *Maori Sovereignty* (Broadsheet, Auckland, 1993) Rei, *Maori Women and The Vote* (Huia Publishers, Wellington, 1995).

5 An appropriation of \$1.2 million was made for the purpose of encouraging Maori women into the business sector is administered by the Board of the Maori Women's Development Fund.

6 Evans, R 'Beyond The Negation of Power' unpublished paper at Auckland Women's Suffrage Centennial Winter Lecture Series (Auckland, 1993).

7 Above n 6.

IV WHAT DO WE NEED?

What is needed is a "bottom up, top down change which will improve opportunities for an enhanced quality of life for all [Maori], with the former pushing the latter".⁸ For real change, it is essential to share the benefits with Maori women who are the least empowered.

We need a settlement framework that is people and life centred; this requires a rejection of the existing money driven model because it benefits a few at the expense of the majority and is unsustainable in the long term. Settlement decisions and outcomes should be directed at our core problems and the basic unit of analysis should be Maori individuals and aggregated households. Because Maori women constitute half of the Maori population, are the least empowered and increasingly more are taking responsibility for sole parenting, they must be a priority issue for the settlement of claims. The Treaty provides such a framework and is a starting point for resolving the issue of absolute sovereignty, ie sovereignty not just for half of our population or worse still the 3% Maori elite, but for all Maori. In determining our relationships with each other and the Crown, the opportunity to participate in that process is a fundamental right of all Maori women and men.

8 Hyman P *Women and Economics* (Bridget Williams Books, Wellington, 1994) 222-230.